

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION**

IN RE:

JESUS VASQUEZ, JR.,
PENNEY LEIGH VASQUEZ,

CASE NO.: 19-01841-5-SWH
CHAPTER 7

DEBTOR(S)		
JESUS VASQUEZ, JR.,)	
PENNEY LEIGH VASQUEZ,)	
)	
Plaintiffs,)	
vs.)	ADVERSARY PROCEEDING NO.:
)	19-00100-5-SWH
JPMORGAN CHASE BANK, N.A.,)	
)	
Defendant.)	

**APPELLANTS' DESIGNATION OF THE ITEMS TO BE INCLUDED IN THE
RECORD ON APPEAL AND STATEMENT OF THE ISSUE TO BE
PRESENTED**

NOW COME the Appellants, Jesus Vasquez, Jr. and Penney Leigh Vasquez, by and through the undersigned counsel, and pursuant to Rule 8009(a)(1)(A) of the Federal Rules of Bankruptcy Procedure, designate the following items to be included in the record on appeal, and a statement of the issue to be presented:

ADVERSARY PROCEEDING DOCKET ENTRIES

1. Complaint by Plaintiffs against JPMorgan Chase Bank [D.E. 1], filed on June 21, 2019.
2. Defendant's Motion to Dismiss [D.E. 6], filed on August 21, 2019.

3. Memorandum in Support of Defendant's Motion to Dismiss [D.E. 7], filed on August 21, 2019.

4. Plaintiffs' Response in Opposition to Defendant's Motion to Dismiss [D.E. 11], filed on October 11, 2019.

5. Order Allowing Motion to Dismiss [D.E. 17], filed on March 25, 2020.

6. Notice of Appeal [D.E. 18], filed on March 26, 2020.

LEAD BANKRUPTCY CASE DOCKET ENTRIES

1. Chapter 7 Voluntary Petition, Schedules, and Statements [D.E. 1], filed on April 24, 2019.

2. Order of Discharge [D.E. 21], filed on August 7, 2019.

STATEMENT OF THE ISSUE TO BE PRESENTED

1. Whether Dewsnap v. Timm, 502 U.S. 410 (1992) should be overruled.

Respectfully submitted, this the 27th day of March, 2020.

RICHARD P. COOK, PLLC

/s/ Richard P. Cook

Richard P. Cook

Attorney for the Plaintiffs

N.C. State Bar No. 37614

7036 Wrightsville Avenue, Ste. 101

Wilmington, NC 28403

(910) 399-3458

Richard@CapeFearDebtRelief.com

CERTIFICATE OF SERVICE

I certify that on March 27, 2020 the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below:

Neil D. Jonas
BROCK & SCOTT, PLLC
8757 Red Oak Blvd, Suite 150
Charlotte, NC 28217
(704) 369-0676
bankruptcy@brockandscott.com
Attorney for Defendant – Appellee

/s/ Richard P. Cook
Richard P. Cook
RICHARD P. COOK, PLLC
7036 Wrightsville Ave, Suite 101
Wilmington, NC 28403
Telephone: (910) 399-3458
Facsimile: (877) 836-6822
Email: Richard@capefeardebtreliet.com
N.C. State Bar No. 37614
Counsel for Plaintiffs-Appellants